

REMARKS/ARGUMENTS

The present Amendment is in response to the Final Office Action having a mailing date of February 6, 2006. Claims 1, 3-8, 10-15, and 17-23 are pending in the present Application.

This application is under Final Rejection. Applicant has presented arguments hereinbelow that Applicant believes should render the claims allowable. In the event, however, that the Examiner is not persuaded by Applicant's arguments, Applicant respectfully requests that the Examiner enter the Amendment to clarify issues upon appeal.

In the above-identified Office Action, the Examiner rejected claims 1, 2, 3, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 20, and 21 under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,546,387 (Triggs) in view of U.S. Application Publication No. US 2002/0138582 (Chandra), in further view of U.S. patent 6,724,219 (Lindhorst). In so doing, the Examiner indicated that Applicant's arguments previously dealt only with pushing the message to the browser.

As a preliminary matter, Applicant respectfully disagrees with the Examiner's characterization that "all" of Applicant's arguments only dealt with pushing the message. Applicant respectfully draws the Examiner's attention to page 11, line 1-page 12, line 8 of the Amendment dated November 9, 2005.

Furthermore, Applicant respectfully traverses the Examiner's rejection. Independent claim 1 recites:

1. A system for publishing a message using a page builder tool, the page builder tool for providing a web page and linking the web page to a searchable database, the system comprising:
 - a message caching agent for receiving the message;
 - a message cache coupled to the message caching agent for storing the message, the message cache receiving the message from the message caching agent, the message cache being a local cache for the page builder tool; and

a message publishing agent coupled to the message cache and the page builder tool, the message publishing agent for retrieving the message from the message cache and allowing the message to be published on a web browser through the page builder tool, wherein the message publishing agent allows the message to be published on the web browser by pushing the message to the web browser through the page builder tool.

Similarly, independent claim 7 recites:

7. A method for publishing a message using a page builder tool, the page builder tool for providing a web page and linking the web page to a searchable database, the method comprising the steps of:
receiving a message from a user;
storing the message in a message cache connected to the page builder tool using a message caching agent, the message cache being a local cache for the page builder tool;
retrieving the message from the message cache and publishing the message on a web browser through the page builder tool, wherein the publishing further includes
utilizing the message publishing agent to push the message to the web browser.

Independent claim 14 recites:

14. (Currently Amended) A computer-readable medium containing a program for publishing a message using a page builder tool, the page builder tool for providing a web page and linking the web page to a searchable database, the program including instructions for:
receiving a message from a user;
storing the message in a cache connected to the page builder tool using a message caching agent, the message cache being a local cache for the page builder tool;
retrieving the message from the message cache and publishing the message on a web browser through the page builder tool, the publishing further including
utilizing the message publishing agent to push the message to the web browser.

Thus, the system, method, and computer-readable medium recited in claims 1, 7, and 14, use a message caching agent to store the message in a message cache that is a local to and coupled to a page builder tool and a message publishing agent to publish the message through the page

builder tool by pushing the message to a browser. Consequently, the message can be relatively simply published using a conventional page builder tool. Specification, page 6, lines 1-2.

Moreover, because the message is pushed to the browser, the messages can be published and updated without requiring that the entire web page be refreshed. Specification, page 6, lines 13-15. Thus, the message is published and updated without requiring the user to provide an additional request for data, for example through a refresh. Specification, page 6, lines 8-16. Consequently, publishing of messages is facilitated.

In contrast, Triggs in view of Chandra in further view of Lindhorst fail to teach or suggest the combination of the message caching agent, the (local) message cache, and a message publishing agent that pushes a message to a browser, thus publishing the message through the page builder tool.

Triggs describes a system for managing information on a computer network. Triggs, Abstract. Triggs describes an email reader and a web builder, which the Examiner cited as corresponding to the recited message caching agent and page builder tool, respectively. The email reader monitors email accounts and if the appropriate messages are available, posts the messages to a server. Triggs, col. 5, lines 54-57. To post the message to the server, however, the email reader simply provides the message to the server, which may perform further processing on the message. Triggs, col. 8, lines 18-22. Thus, the email reader of Triggs does not use a message caching agent to store a message in the local cache. Furthermore, because the email reader simply uploads the message to a server, there is no apparently need for the message to be retrieved from the message cache using a message publishing agent prior to the message being published.

As discussed above, the cited portions of Triggs indicate that for both email messages and the web content, new material is merely *uploaded to a server*. Although the web content and email messages may be made available for inspection, the message or web content is not pushed to a web browser. Instead, at most, certain employees who subscribe to particular information categories may be notified that new content is available. Applicant has found no indication in Triggs that this notification includes pushing the content to the web browser. Triggs, therefore, also fails to teach or suggest publishing a message including using the message publishing agent to push the message to the web browser, for example through a page builder tool.

Thus, Triggs fails to teach or suggest a system, method, and computer-readable medium that use a message caching agent to store the message to a message cache that is a local to and coupled to a page builder tool, that retrieve a message from the local message cache and that publish the message through the page builder tool by pushing the message to the browser.

Chandra fails to remedy these defects of Triggs. Chandra describes a method for associating related messages in computer storage. Chandra, Abstract. Applicant agrees that Chandra describes creating “snapshots” of applications, and storing these snapshots in a local cache so that the user can view the snapshots off line. Chandra, paragraph 362. However, Chandra does not publish messages in the recited manner using the local cache. Instead, it appears as though the blocks are provided to the local cache for the limited purpose of viewing by the client. Chandra, paragraph 362. Stated differently, although the local cache is provided, the local cache is not used in storing messages for publication, nor is the local cache accessed by a message publishing agent or a message caching agent. Further, Applicant has found no mention in Chandra of pushing the message being published to web browsers. Instead, any pushing of messages appears limited to

email messages. See, for example, Chandra, paragraphs 184 and 536. Like Triggs, Chandra fails to teach or suggest a system, method, or computer-readable medium that uses a message caching agent to store the message to a message cache that is a local to and coupled to a page builder tool, that retrieves a message from the local message cache and publishes the message through the page builder tool by pushing the message to the browser.

Because both Triggs and Chandra fail to teach or suggest a system that uses a message caching agent to store the message to a message cache that is a local to and coupled to a page builder tool and that retrieves a message from the local message cache and publishes the message through the page builder tool by pushing the message to the browser, any combination would fail to teach or suggest these features. Stated differently, if the teachings of Chandra were added to the teachings of Triggs, the combination may use email readers to obtain messages and post them to the server. Further, the combination would provide a local cache, to allow users to view applications offline. However, there is no indication that the combination would use the email readers of Triggs to access the local cache of Chandra for any purpose, much less for the purpose of publishing messages. Likewise, although the combination might use the page builder of Triggs to provide web content, the page builder would not be used by the email readers to publish messages. Finally, the combination would not broadcast messages by using a message publishing agent to push messages to the browser.

The vast majority of Lindhorst relates to providing a development environment. Lindhorst, Abstract and col. 1, lines 19-22. In particular, Lindhorst describes creating a drag and drop development environment for editing page scripts. Lindhorst, col. 4, line 65-col. 7, line 15. Applicant does agree that Lindhorst mentions in passing that the “initial instantiation [of a objects

for a page]. . . may occur without a request from a browser, for example, for the purposes of broadcasting or multicasting using a push web model.” Lindhorst, col. 14, lines 10-20; col. 15, lines 15-18; and FIG. 5. Applicant has found no mention in the cited portions of Lindhorst of a message caching agent, a message publishing agent, or a message cache that is local and accessed by the message caching agent and message publishing agent.

Lindhorst fails to remedy the defects of Triggs in view of Chandra. If the teachings of Lindhorst were added to those of Triggs and Chandra, the combination might incorporate the drag and drop development environment of Lindhorst to the page builder of Triggs. Thus, development of web pages in general might be facilitated. Certain objects provided to the page by the developer might also be pushed when the teachings of Lindhorst are added to that of Triggs and Chandra. However, there is no indication in the cited portions of Triggs, Chandra, and Lindhorst that such objects would include messages being broadcast. Furthermore, Because the cited portions of Triggs, Chandra, and Lindhorst fail to teach or suggest the features, the combination would not utilize a message caching agent to store the message to a message cache that is a local to and coupled to a page builder tool. For the same reasons, the combination would also fail to use a message publishing agent to retrieve a message from the local message cache and publish the message through the page builder tool by pushing the message to the browser.

Moreover, Applicant respectfully submits that a conclusion that Triggs in view of Chandra in further view of Lindhorst render claims 1, 7, and 14 unpatentable involves improper hindsight afforded by the claimed invention. Applicant notes that one “cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed

invention.” In re Fine, 5 USPQ2d 1596, 1600 (Fed. Cir. 1988). See also In re Fritch, 23 USPQ2d 1780,1783 (Fed. Cir. 1992).

Consequently, for the above-identified reasons, Triggs in view of Chandra in further view of Lindhorst fails to teach or suggest the system, method and computer-readable medium recited in claims 1, 7, and 14. Accordingly, Applicant respectfully submits that claims 1, 7, and 14 are allowable over the cited references.

Claims 2, 3, and 6 depend on independent claim 1. Claims 8, 9, 10 and 13 depend upon independent claim 7. Claims 15, 16, 17, 20, and 21 depend upon independent claim 14. Consequently, the arguments herein apply with full force to claims 2-3, 6, 8-10, 13, 15-17, and 20-21. Accordingly, Applicant respectfully submits that claims 2-3, 6, 8-10, 13, 15-17, and 20-21 are allowable over the cited references.

Examiner also rejected claims 4, 5, 11, 12, 18, 19, 22, and 23 under 35 U.S.C. § 103 as being unpatentable over Triggs in view of Chandra in further view of U.S. Patent No. 6,697,825 (Underwood) in further view of Lindhorst.

Applicant respectfully disagrees with the Examiner’s rejection. Claims 4, 5, 11, 12, 18, 19, 22, and 23 depend upon independent claims 1, 7, and 14. Consequently, the arguments herein apply with full force to claims 4, 5, 11, 12, 18, 19, 22, and 23. In particular, Triggs in view of Chandra in further view of Lindhorst fails to teach or suggest a system, method, or computer-readable medium that use a message caching agent to store the message to a message cache that is a local to and coupled to a page builder tool, that retrieve a message from the local message cache and that publish the message through the page builder tool by pushing the message to the browser.

Underwood fails to remedy these defects of Triggs in view of Chandra in further view of Lindhorst. Underwood teaches the use of a Web Definer. However, Applicant can find no mention in Underwood of using a message caching agent to store the message to a message cache that is a local to and coupled to a page builder tool. Similarly, Applicant can find no mention in Underwood of retrieving a message from the local message cache using a message publishing agent. Applicant can also find no mention in Underwood of publishing the message through the page builder tool by using the message publishing agent to push the message to the browser. Consequently, Underwood fails to remedy the defects of Triggs in view of Chandra in further view of Lindhorst. Any combination of Triggs in view of Chandra in further view of Lindhorst and Underwood, therefore, would also be absent these teachings. As a result, Trigs in view of Chandra in further view of Lindhorst and Underwood fail to teach or suggest the method, system, and computer-readable medium recited in claims 4, 5, 11, 12, 18, 19, 22, and 23. Accordingly, Applicant respectfully submits that claims 4, 5, 11, 12, 18, 19, 22, and 23 are allowable over the cited references.

Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

SAWYER LAW GROUP LLP

April 6, 2006
Date

/Janyce R. Mitchell/ Reg. No. 40,095
Janyce R. Mitchell
Attorney for Applicant(s)
(650) 493-4540